Application Number Document Code - DISQ	Application/Con	10/042,046 BA		licant(s)/Patent under xamination SSETT ET AL. ument – DO NOT MAIL		
TERMINAL DISCLAIMER	APPROVED			□ DISAPPROVED		
Date Filed :	This patent is subject to a Terminal Disclaimer					
Approved/Disapproved	oy:					

U.S. Patent and Trademark Office

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

UBJECT: Decision on Terminal Disclaimer (T.D.) filed: DS_BULDS	ATE:	19-Jul-05	APPL. S.N.:	10/042,046				
UBJECT: Decision on Terminal Disclaimer (T.D.) filed: Decision on Terminal Disclaimer (T.D.) filed: DS-M405	D: EXAMINE	BEAMER, TEMICA	ART UNIT:	<u>2681</u>	Case Drop-Off Locatic			
UBJECT: Decision on Terminal Disclaimer (T.D.) filled: INSTRUCTIONS: I have reviewed the authritted T.D., with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by his informal memory and Examiner. This IS. SAI INSTRUCTIONS: I have reviewed the authritted T.D., with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by his information are program Examiner. This IS. SAI INSTRUCTION. I T.D. it you disagree the Examiner This IS. SAI INSTRUCTION FILE. INSTRUCTIONS: I have reviewed the submitted T.D. with the Program of	ROM:	Jefferson, Henry	DETURN THIS MEMO TO:					
NNSTRUCTIONS: I have reviewed the submitted TD. with the results as set forth below. It you agree, please use the appropriate form paragraphs identified by this informal memor in your new Office action to notify applicant of the T.D. It you disagree or have any paragraphs identified by this informal memor in your new Office action to notify applicant of the T.D. It you disagree or have any paragraphs identified by this informal memor in your new Office action to notify applicant of the T.D. It you disagree or have any paragraphs identified by this informal paragraphs. Paragraphs in the paragraphs. Paragraphs in the formal paragraphs in the paragraphs in the formal pa		PARALEGAL SPECIALIST			4. . ==			
paregraphs defension as me nor the Special Program Examiner. THIS IS AN INFORMAL. IN The APPLICATION FILE. When your action is complete, please initial, date MAILED TO APPLICANT OR (2) PLACED OF FECORD IN THE APPLICATION FILE. The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see § 14.24): The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see § 14.24): The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/parent (see § 14.26 ol.). The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/parent (see § § 14.26 ol.). The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection. Rule 321(h) (see § 14.27.01). The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the eating parent to be granted" (MPEP 1490) (see § § 14.28 & 14.25.02). The person who signed the T.D.: is not an automey "of record" (see § § § § § § § § § § § § § § § § § §	UBJECT:	Decision on Terminal Discialities (1.5.) most						
The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see ¶ 14.24): The TD fee of	paragrap question	hs identified by this information. In Jack Special Program Examiner. THIS IS AN INFO. Special Program Examiner. THIS IS AN INFO. APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION.	rth below. If you ag applicant of the T.C DRMAL, INTERNAL DN FILE. When you	ree, please use the appr). If you disagree or hav . MEMO ONLY. IT MUS ir action is complete, ple	opriate form e any T NOT BE (1) ase initial, date			
The TD fee of								
The TD fee of	☐ The T	D. is NOT PROPER and has not been accepted for the reason(s) checked bel	ow (see ¶ 14.24):		air account			
(see ¶ 14.26.07). The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/parent (see ¶ ¶ 14.26 & 14.26.01). The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection. Rule 321(b) (see ¶ 14.27.01). The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see ¶ ¶ 14.26 & 14.26.02). The person who signed the T.D.: is not an attorney "of record" (see ¶ ¶ 14.29 and 14.29.01). has failed to state his/her capacity to sign for the business entity (see ¶ 14.28). is not recognized as an officer of the assignee (see ¶ ¶ 14.29 & possible 14.29.02). No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see ¶ 14.30). The T.D. is not signed (see ¶ ¶ 14.26 & 14.26.03). The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶ 14.32). The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see ¶ 14.32). The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see ¶ 14.26.03). Other:		there any authori	zation in the application	on file for the use of a depo	Sit account			
The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection. Rule 321(b) (see ¶ 14.27.01). The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see ¶¶ 14.26 & 14.26.02). The person who signed the T.D.: is not an attorney "of record" (see ¶¶ 14.29 and 14.29.01). has failed to state his/her capacity to sign for the business entity (see ¶¶ 14.28). is not recognized as an officer of the assignee (see ¶¶ 14.29 & possible 14.29.02). No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see §¶ 7.0.78 3.73(b) and 1140 0.0.7.22). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see ¶¶ 14.30). The T.D. is not signed (see ¶¶ 14.26 & 14.26.03). The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶¶ 14.26, 14.27.02 or 14.26.03). The serial number of this application (or the number of the patent) in reexam or reissue cases being disclaimed is missing or incorrect (see ¶¶ 14.26, 14.27.02 or 14.26.03). The period disclaimed is incorrect or not specified (see ¶¶ 14.26, 14.27.02 or 14.26.03). Other:		The state of the s	has not stated the ex	stent of his/her interest (and	Nor the extent of the			
The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 32(b) (see § 14.27.01). The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see § § 14.26 & 14.26.02). The person who signed the T.D.: is not an attorney "of record" (see § ¶ 14.29 and 14.29.01). has failed to state his/her capacity to sign for the business entity (see ¶ 14.28). is not recognized as an officer of the assignee (see § ¶ 14.29 & possible 14.29.02). No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or specified as to where such evidence is recorded in the T.D. of in a separate paper of record in the application (see § 14.30). The T.D. is not signed (see ¶ ¶ 14.26 & 14.26.03). The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶ ¶ 14.26. 14.27.02 or 14.26.03). The serial number of this application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶ ¶ 14.26. 14.27.02 or 14.26.03). The serial number of this application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶ ¶ 14.26. 14.27.02 or 14.26.03). The serial number of this application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶ ¶ 14.26. 14.27.02 or 14.26.03). The serial number of this application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶ ¶ 14.26. 14.27.02 or 14.26.03). The pe		interest of the hisiness entity represented by the						
The person who signed the T.D.: The person who signed the T.D.: Is not an attorney "of record" (see ¶¶ 14.29 and 14.29.01). Is not an attorney "of record" (see ¶¶ 14.29 and 14.29.01). Is not recognized as an officer of the assignee (see ¶¶ 14.29 & possible 14.29.02). No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or specificity of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see ¶¶ 14.26.03). The T.D. is not signed (see ¶¶ 14.26 & 14.26.03). The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶¶ 14.26, 14.27.02 or 14.26.05). The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see ¶¶ 14.26, 14.27.02 or 14.26.05). The period disclaimed is incorrect or not specified (see ¶¶ 14.26, 14.27.02 or 14.26.03). Other:		The T.D. lacks the enforceable only during common ownership clause – need rejection, Rule 321(b) (see § 14.27.01).	ded to overcome a no	n-statutory double patentin	g			
is not an attorney "of record" (see ¶ ¶ 14.29 and 14.29.01). has failed to state his/her capacity to sign for the business entity (see ¶ 14.28). is not recognized as an officer of the assignee (see ¶ ¶ 14.29 & possible 14.29.02). No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. og in a separate paper of record in the application (see ¶ 14.30). The T.D. is not signed (see ¶ ¶ 14.26 & 14.26.03). The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶ ¶ 14.32). The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see ¶ ¶ 14.26, 14.27.02 or 14.26.05). The period disclaimed is incorrect or not specified (see ¶ ¶ 14.26, 14.27.02 or 14.26.03). Other:		The T.D. is directed to a particular claim(s), which is not acceptable since "the term of the entire patent to be granted" (MPEP 1490) (see ¶¶ 14.26 & 1	the disclaimer must be 4.26.02).	e for a terminal portion of				
has failed to state his/her capacity to sign for the business entity (see ¶ 14.28). is not recognized as an officer of the assignee (see ¶ ¶ 14.29 & possible 14.29.02). No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. of in a separate paper of record in the application (see ¶ 14.30). The T.D. is not signed (see ¶ ¶ 14.26 & 14.26.03). The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶ ¶ 14.26, 14.27.02 or 14.26.05). The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see ¶ ¶ 14.26, 14.27.02 or 14.26.05). The period disclaimed is incorrect or not specified (see ¶ ¶ 14.26, 14.27.02 or 14.26.03). Other:		The person who signed the T.D.:						
has failed to state his/her capacity to sign for the business entity (see ¶ 14.28). is not recognized as an officer of the assignee (see ¶ ¶ 14.29 & possible 14.29.02). No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. of in a separate paper of record in the application (see ¶ 14.30). The T.D. is not signed (see ¶ ¶ 14.26 & 14.26.03). The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶ ¶ 14.26, 14.27.02 or 14.26.05). The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see ¶ ¶ 14.26, 14.27.02 or 14.26.05). The period disclaimed is incorrect or not specified (see ¶ ¶ 14.26, 14.27.02 or 14.26.03). Other:		is not an attorney "of record" (see ¶¶ 14.29 and 14.29.01).						
is not recognized as an officer of the assignee (see ¶ ¶ 14.29 & possible 14.29.02). No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or specified (see ¶ ¶ 14.26 & 14.26.03). The T.D. is not signed (see ¶ ¶ 14.26 & 14.26.03). The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶ 14.32). The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see ¶ ¶ 14.26, 14.27.02 or 14.26.05). The period disclaimed is incorrect or not specified (see ¶ ¶ 14.26, 14.27.02 or 14.26.03). Other:			14.28).					
No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see § 14.30). The T.D. is not signed (see § 14.26 & 14.26.03). The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see § 14.32). The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see § 14.26, 14.27.02 or 14.26.05). The period disclaimed is incorrect or not specified (see § § 14.26, 14.27.02 or 14.26.03). Other: Suggestion to request refund (see § 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item. I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case. Ex. Initials: Date: Log Date:		is not recognized as an officer of the assignee (see ¶¶ 14.29 & possible	: 14.29.02).					
The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶ 14.32). The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see ¶ ¶ 14.26, 14.27.02 or 14.26.05). The period disclaimed is incorrect or not specified (see ¶ ¶ 14.26, 14.27.02 or 14.26.03). Other: Suggestion to request refund (see ¶ 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item. I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case. Ex. Initials: Date: Date: Treaday, July 19, 2005 10:55:10		No documentary evidence of a chain of title from the original inventor(s) to	o assignee has been s	ubmitted, nor is the reel and .72). NOTE: This docume ecord in the application (see	d frame number entary evidence or e 14.30).			
(see ¶ 14.32). The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see ¶ ¶ 14.26, 14.27.02 or 14.26.05). The period disclaimed is incorrect or not specified (see ¶ ¶ 14.26, 14.27.02 or 14.26.03). Other: Suggestion to request refund (see ¶ 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item. I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case. Ex. Initials: Date: Date: Treeday, July 19, 2005 10:55:10		The T.D. is not signed (see ¶ ¶ 14.26 & 14.26.03).						
(see ¶¶ 14.26, 14.27.02 or 14.26.05). The period disclaimed is incorrect or not specified (see ¶¶ 14.26, 14.27.02 or 14.26.03). Other: Suggestion to request refund (see ¶ 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item. I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case. Ex. Initials: Date: Traceday, July 19, 2005 10:55:10		(see ¶ 14.32).						
Other: Suggestion to request refund (see ¶ 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item. I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case. Ex. Initials: Date: Traceday, July 19, 2005 10:55:10		The serial number of this application (or the number of the patent in reexa (see ¶¶ 14.26, 14.27.02 or 14.26.05).	m or reissue cases bei	ng disclaimed is missing of	r incorrect			
Suggestion to request refund (see ¶ 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item. I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case. Ex. Initials: Date:		The period disclaimed is incorrect or not specified (see ¶ ¶ 14.26, 14.27.0	2 or 14.26.03).					
I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case. Log Date: Ex. Initials: Date:		Other:						
Ex. Initials: Date: Log Date:				sit account and do not chec	ck this item.			
Ex. Initials: Date:	I have ap	propriately notified applicant(s) of the status of the Terminal Disclaimer filed	I in this case.					
Ex. Initials Tuesday, July 19, 2005 10:55:10		Pere		1	Log Date:			
Special Program Database, Version 2.1 (Rev. 5/98) Routing Slip Printed On. (Rev. 5/98)			Bouting Slip P	rinted On: Tuesd	ay, July 19, 2005 10:55:10 Al			





TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

In re Application of: Application No.:

R.W. Bassett et al.

10/042,046

Docket No.:

AUS920010552US1

Filed: For:

METHOD, SYSTEM, AND PROGRAM FOR PROVIDING INFORMATION ON USERS

OF WIRELESS DEVICES IN A DATABASE TO A PERSONAL INFORMATION

MANAGER

The owner*, International Business Machines Corporation, of one hundred percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/888,471, filed on June 25, 2001 of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

□ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney or agent of record. 2.

07/07/2005 YPOLITE1 00000024 090447 10042046

130.00 DA 02 FC:1814

Marilyn S. Dawkins Typed or printed name

Man 5. Nautine 5/24/05

512-823-0094 Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included. Ø

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.